

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

HB 1166 - SB 1073

April 3, 2023

SUMMARY OF BILL: Requires the entity granting a release to an individual who has the right of suffrage restored and who was rendered infamous by state or federal court, to notify the county election commission of the individual's release from custody, to complete the certificate of restoration of voting rights form, and to send that form to the criminal court clerk. Requires the criminal court clerk to verify if the individual has any outstanding financial obligations, and either alert the individual of their obligations or, if none, to complete and forward the certification of restoration of voting rights form to the county election commission. Requires the county election commission to then contact the individual to provide aid with registering to vote.

FISCAL IMPACT:

Based on further analysis, the fiscal memorandum issued March 18, 2023, was determined to be in error. The corrected fiscal impact is as follows:

(CORRECTED)

NOT SIGNIFICANT

Assumptions:

- It is assumed that the entity granting a release to an individual can notify the county election commission, complete the certificate of restoration of voting rights form, and send the form to the criminal court clerk within existing resources.
- Pursuant to Tenn. Code Ann. § 40-29-202, an individual convicted of a felony is eligible to apply for restoration of voting rights upon receiving a pardon, discharge from custody for service or expiration of the maximum sentence, or being granted a certificate of final discharge.
- An individual is further prohibited from eligibility to apply for a voter registration card unless the person has paid all restitution to victims of the offense, all court costs assessed against the person for a trial if the applicant is not indigent, and all child support obligations.
- Therefore, the proposed legislation will not result in any change to who is authorized to have their voting rights restored.
- Pursuant to Tenn. Code Ann. § 40-29-203, the pardoning authority, warden or agent of the incarcerating authority, or parole officer or agent of the supervising authority is

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authorized to provide a restoration of voting rights application to an eligible person upon request.

- The proposed legislation requires this action to be done, regardless of if the individual requested it.
- The proposed legislation will not have any significant procedural or fiscal impact to the courts.
- This analysis estimates there will be a one-time enhanced volume of voting registrations after the passage of the proposed legislation.
- It is assumed the local election staff can accommodate these additional voter registrations within existing resources. Any fiscal impact incurred by any one county election commission is considered not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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